

# EXHIBIT 9

To

Memorandum In Support of TriPath Imaging, Inc.'s Motion to Exclude  
Defenses Based on Cytac's CDS-1000

Civil Action No. 03-11142 [DPW] - Lead Case

Filed May 5, 2005

**WILMER CUTLER PICKERING  
HALE AND DORR LLP**

January 11, 2005

**By Federal Express**

Charles A. Burke, Esq.  
Womble Carlyle Sandridge & Rice PLLC  
One West Fourth Street  
Winston-Salem, NC 27101

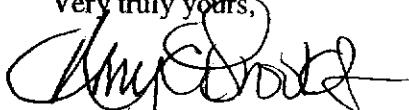
60 STATE STREET  
BOSTON, MA 02109  
+1 617 526 6000  
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Re: Cytec Corp. v. TriPath Imaging, Inc.- Document Production

Dear Charles Burke:

Enclosed please find two compact disks bearing Bates numbers C0140007 and C0140008. The disk numbered C0140007 is a copy, in Apple Macintosh format, of an old optical Macintosh disk containing information pertaining to the CDS-1000. The disk numbered C0140008 contains the same information as the prior disk, but has been converted into text file format that is readable on any PC compatible computers. Please note that the C0140008 disk contains only the files that could be converted, meaning some files may not have converted from the original optical disk.

Very truly yours,



Amy C. Brooks  
Paralegal

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amy.brooks@wilmerhale.com

ACB:acb  
Enclosures

JAN 12 2005

BALTIMORE BEIJING BERLIN BOSTON BRUSSELS LONDON  
MUNICH NEW YORK NORTHERN VIRGINIA OXFORD WALTHAM WASHINGTON

**WILMER CUTLER PICKERING  
HALE AND DORR LLP**

January 21, 2005

**By Federal Express**

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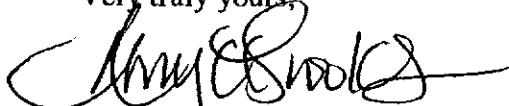
Charles A. Burke, Esq.  
Womble Carlyle Sandridge & Rice PLLC  
One West Fourth Street  
Winston-Salem, NC 27101

Re: Cytec Corp. v. TriPath Imaging, Inc.- Document Production

Dear Charles Burke:

Enclosed please find two compact disks bearing Bates numbers C0141774 and C0141775. The disk numbered C0141774 is a copy, in Apple Macintosh format, of the image of the hard drive of an old Macintosh computer containing information pertaining to the CDS-1000. The disk numbered C0141775 contains the same information as the prior disk, but has been converted into text file format that is readable on any PC compatible computers. Please note that the C0141775 disk contains only the files that could be converted, meaning some files may not have converted from the original optical disk.

Very truly yours,



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JAN 25 2005

BALTIMORE BEIJING BERLIN BOSTON BRUSSELS LONDON  
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WILMER CUTLER PICKERING  
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January 27, 2005

By Federal Express

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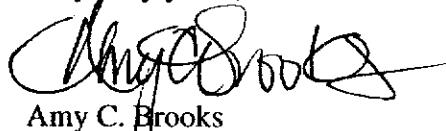
Re: Cytyc Corp. v. TriPath Imaging, Inc.- Document Production

Dear Mr. Burke:

Enclosed please find one compact disk bearing Bates number C0143370. This disk contains an image of the hard drive of the computer referenced in our letter dated January 21, 2005. Due to an additional conversion process we had done, this disk is both PC and MacIntosh computer compatible and it also contains files not present on the two previously produced disks.

If you have any questions, please do not hesitate to call.

Very truly yours,



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Enclosures

JAN 2 2005

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